

# City of Detroit


## CITY COUNCIL

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To: Honorable City Council

From: David Whitaker, Director   
Research and Analyses Division

Date: February 16, 2009

Re: Issues Related to Detroit City Council Rules of Order

At the Formal Session on February 10, 2009, Research and Analysis (RAD) was instructed to clarify issues related to line item numbers 86 and 87, referrals to the Rules Committee. Both items deal with the creation and composition of a Personnel Committee within Council Committee Structure.

### **Creation and Composition of a Personnel Committee**

Section 9.2.2.2 of the Rules of Order For the Detroit City Council, passed by resolution on February 28, 2007 and effective September 1, 2007, states the areas of responsibility of the Internal Operations Standing Committee:

*"9.2.2.2 Jurisdiction of Committee: The following departments, boards and commissions shall be under the jurisdiction of this Standing Committee; City Clerk, City Council And Its Divisions, The Election Commission, Human Resources, Human Rights, Law, General Services, Mayor's Office, 36<sup>th</sup> District Court, ITS, Citizens Advisory Councils, Detroit Building Authority, Pension and Retirement Systems, Detroit Wayne Joint Building Authority, Council Appointed Boards and Commissions, and The Board of Ethics."*

Accordingly, City Council personnel issues are the responsibility of the Internal Operations Standing Committee. A City Council Personnel Committee, therefore, should be created as a **Sub-Committee** of the Internal Operations Standing Committee.

Creation and membership of sub-committees is controlled by Section 6.10 of the Rules of Order For the Detroit City Council which states

*"6.10 Sub-Committees: The President may create sub-committees that shall meet according to a resolution by the City Council. A member of a sub-committee must be a member of the Standing Committee from which it is formed."*

### **Council President's Administrative Authority**

Questions have arisen relative to the administrative duties of the Council President.

The Charter of the City of Detroit, states:

*"Sec. 4-104. Duties of the Council President.*

*The president of the city council shall preside at all regular session meetings of the city council. The president shall have administrative responsibility on behalf of the city council.*

*The city council shall provide in its rules for the duties and responsibilities of the council president."*

As stated in the Charter, the City Council, through its Rules of Order, can provide for the duties and responsibilities of the Council President. Furthermore, the commentary to the 1997 Detroit City Charter provides the rationale for construction of the Charter. The commentary for Section 4-104 states:

*"This section is new and provides that the council president be authorized by rule, with the consent of the council, to perform such administrative duties and responsibilities as may be necessary".*

As such, this amendment to the Rules is in compliance with Section 4-104 of the City Charter.

### **Conclusion**

Based upon our analysis of the Charter and the Rules, RAD would suggest that the President create a sub-committee within the Internal Operations Standing Committee known as the *Personnel Sub-Committee* to deal with any and all issues related to City Council personnel. All recommendations made by the Personnel Committee shall be approved by the majority of City Council Members serving.

Should you need anything further, please advise.